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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,841	12/05/2003	Mohammed Samji	003797.01281	8318
28319 7590 06/22/2007 BANNER & WITCOFF, LTD. ATTORNEYS FOR CLIENT NOS. 003797 & 013797 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			EXAMINER LY, ANH	
			ART UNIT 2162	PAPER NUMBER
			MAIL DATE 06/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/729,841

Applicant(s)

SAMJI ET AL.

Examiner

Anh Ly

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 79-128 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 79-128 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is response to Applicants' RCE filed on 05/22/2007.

Response to Arguments

Applicant's arguments are moot in view of moot in view of the new ground(s) of rejection.

Request for Continued Examination (RCE)

2. The request filed on 05/22/2007 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 10/729,841 is acceptable and a RCE has been established. An action on the RCE follows.

3. Claims 1-78 have been cancelled.
4. Claims 79-128 have been added.
5. Claims 79-128 are pending in this Application.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 79-128 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent No.: US 6,363,400 B1 issued to Chtchetkine et al. (hereinafter Chtchetkine) in view of Pub. No.: US 20020144155 A1 of Bate et al. (hereinafter Bate).

With respect to claim 79, Chtchetkine teaches a method of sharing virtual folder items stored in a file system of an operating system (abstract, and col. 3, lines 1-10 and col. 4, lines 40-55), the method comprising:

storing a plurality of items in a file system of an operating system (col. 4, lines 40-55);

storing in the operating system one or more values corresponding to operating system properties for each of the plurality of items stored in the file system (col. 5, lines 5-55);

displaying via the operating system a data object corresponding to a virtual folder comprising one or more of the items stored in the file system (displaying for view of a plurality of virtual folder: figs. 7-9);

receiving via the operating system a user request to share one or more of the items in the virtual folder with one or more sharees (fig. 5, for receiving a request to

share the folder having a plurality of files or items and col. 9, lines 58-67 and col. 11, lines 22-35).

Chtchetkine teaches operating system having a file system containing a plurality of native files, displaying the folders containing a plurality of files to be shared.

Chtchetkine does not clearly teach setting permissions on the one or more shared virtual folder items to provide the one or more sharees access to said shared virtual folder items, wherein setting permissions comprises setting an operating system permission property on each of the one or more shared virtual folder items.

However, Bate teaches setting or accessing permissions to the folder containing a plurality of sharable digital data files (sections 0088-0091 and abstract).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chtchetkine with the teachings of Bate. One having ordinary skill in the art would have found it motivated to utilize the use of setting permissions on the shared folder data files as disclosed (Bate's sections 0088), into the system of Chtchetkine for the purpose of allowing share the data files with a specific group, thereby, providing a continuous, controlled method between data files and end-users (Bate's sections 0086 and 0100).

With respect to claims 80-82, Chtchetkine teaches a method of sharing virtual folder items stored in a file system of an operating system as discussed in claim 79.

Chtchetkine teaches operating system having a file system containing a plurality of native files, displaying the folders containing a plurality of files to be shared.

Chtchetkine does not clearly teach wherein receiving the user request to share one or

more of the items in the virtual folder comprises receiving a level of permissions to be assigned to the one or more sharees for the one or more shared virtual folder items; wherein setting permissions on the one or more shared virtual folder items comprises verifying that an operating system file share exists from which a first shared virtual folder item can be accessed remotely; and wherein if an operating system file share exists, the permissions on the operating system file share are set so as to allow the one or more sharees to access the first shared virtual folder item.

However, Bate teaches level of permission including allowing to access edit, view and print of data items (sections 0134, 0168 and 0233); remotely accesses the file via verification and validation (fig. 9 and section 0215) and sharing files in the folder with permissions to access the file items (sections 0112 and 0227).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chtchetkine with the teachings of Bate. One having ordinary skill in the art would have found it motivated to utilize the use of level of permissions on the virtual folder file items as disclosed (Bate's sections 0134), into the system of Chtchetkine for the purpose of allowing share the data files with a specific group, thereby, providing a continuous, controlled method between data files and end-users (Bate's sections 0086 and 0100).

With respect to claim 83, Chtchetkine teaches determining that the user request corresponds to a protected virtual folder item that cannot be shared with the sharee, and providing a user notification in response to the user request indicating that the

protected virtual folder item cannot be shared (providing a user request and notification: col. 18, lines 42-67 and col. 19, lines 1-20).

With respect to claims 84-86, Chtchetkine teaches a method of sharing virtual folder items stored in a file system of an operating system as discussed in claim 79.

Chtchetkine teaches operating system having a file system containing a plurality of native files, displaying the folders containing a plurality of files to be shared.

Chtchetkine does not clearly teach wherein setting permissions on the one or more shared virtual folder items comprises verifying that a firewall on the operating system will allow the one or more sharees to access the one or more shared virtual folder items; recording details of the sharing transaction, including at least one of the shared virtual folder items, the one or more sharees, and a time at which the permissions were set; and sending a link to the one or more sharees in response to receiving the user request to share the items in the virtual folder, the link allowing the one or more sharees to access shared virtual folder items from a remote computer.

However, Bate teaches firewall to protect or to detect access folder items (section 0023; the information of permission is set (section 0022) and sending a link to the receiver (sections 0012 and 0025).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chtchetkine with the teachings of Bate. One having ordinary skill in the art would have found it motivated to utilize the use of level of permissions on the virtual folder file items as disclosed (Bate's sections 0134), into the system of Chtchetkine for the purpose of allowing share the

data files with a specific group, thereby, providing a continuous, controlled method between data files and end-users (Bate's sections 0086 and 0100).

With respect to claim 87, Chtchetkine teaches receiving a query at the operating system from one of the sharees and providing to the sharee in response a list of items in the file system that are shared out to the sharee (a list of items to be listed for viewer to view: figs. 7-9).

With respect to claim 88, Chtchetkine in view of Bate teaches wherein setting permissions on the one or more shared virtual folder items comprises setting an operating system permission property on a first item in the file system without setting an operating system permission property on a parent folder of the first item (Bate's section 0134, 0172, 0192 and 0203).

With respect to claim 89, Chtchetkine in view of Bate teaches wherein each of the items in the virtual folder has the same value for an operating system property stored in the operating system (Bate's sections 0180, 0192 and 0203).

With respect to claim 90, Chtchetkine in view of Bate teaches wherein the one or more shared virtual folder items comprises a non-folder non-file item (e-mail data items stored in the folder or e-mail system" sections 0217 and 0084).

Claim 91 is essentially the same as claim 79 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 79 hereinabove.

Claim 92 is essentially the same as claim 80 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 80 hereinabove.

Claim 93 is essentially the same as claim 81 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 81 hereinabove.

Claim 94 is essentially the same as claim 82 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 82 hereinabove.

Claim 95 is essentially the same as claim 83 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 83 hereinabove.

Claim 96 is essentially the same as claim 84 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 84 hereinabove.

Claim 97 is essentially the same as claim 85 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 85 hereinabove.

Claim 98 is essentially the same as claim 86 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 86 hereinabove.

Claim 99 is essentially the same as claim 87 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 87 hereinabove.

Claim 100 is essentially the same as claim 88 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 88 hereinabove.

Claim 101 is essentially the same as claim 89 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 89 hereinabove.

Claim 102 is essentially the same as claim 90 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 90 hereinabove.

With respect to claim 103, Chtchetkine teaches method of sharing virtual folder items stored in a file system of an operating system (abstract, and col. 3, lines 1-10 and col. 4, lines 40-55), the method comprising:

storing a plurality of items in a file system of an operating system (col. 4, lines 40-55);

identifying a virtual folder comprising one or more of the items stored in the file system storing in the operating system one or more values corresponding to operating system properties for each of the plurality of items stored in the file system (col. 5, lines 5-55);

receiving at the operating system a request to share one or more of the items in the virtual folder with one or more sharees (fig. 5, for receiving a request to share the folder having a plurality of files or items and col. 9, lines 58-67 and col. 11, lines 22-35).

Chtchetkine teaches operating system having a file system containing a plurality of native files., displaying the folders containing a plurality of files to be shared.

Chtchetkine does not clearly teaches in response to the sharing request, setting by the operating system user-access permissions on the one or more shared virtual folder items in the file system, the user-access permissions designating permission levels for the one or more sharees on the one or more shared virtual folder items.

However, Bate teaches setting or accessing permissions to the folder containing a plurality of sharable digital data files (sections 0088-0091 and abstract).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chtchetkine with the teachings of Bate. One having ordinary skill in the art would have found it motivated to utilize the use of setting permissions on the shared folder data files as disclosed (Bate's sections 0088), into the system of Chtchetkine for the purpose of allowing share the data files with a specific group, thereby, providing a continuous, controlled method between data files and end-users (Bate's sections 0086 and 0100).

With respect to claims 104-107, Chtchetkine teaches a method of sharing virtual folder items stored in a file system of an operating system as discussed in claim 103.

Chtchetkine teaches operating system having a file system containing a plurality of native files, displaying the folders containing a plurality of files to be shared.

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Chtchetkine does not clearly teach wherein setting the user-access permissions on the one or more shared virtual folder items comprises setting an operating system property on each of the shared virtual folder items in the file system; wherein the one or more shared virtual folder items comprises a first item stored in a first physical folder in the file system and a second item stored in a different second physical folder in the file system; wherein setting the operating system user-access permissions comprises granting a sharee access to a first item stored in a first physical folder in the file system, wherein the sharee is not granted access to a second item in the first physical folder that is not in the virtual folder; and wherein each of the items in the virtual folder has the same value for an operating system property stored in the operating system.

However, Bate teaches using interface for interacting data file items stored in the virtual folder and physical folder, different items in different folder, operating system property, granted access (abstract, sections 0015, 0020, 0061, 0088-009, 0128, 0134 and 0179).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chtchetkine with the teachings of Bate. One having ordinary skill in the art would have found it motivated to utilize the use of level of permissions on the virtual folder file items as disclosed (Bate's sections 0134), into the system of Chtchetkine for the purpose of allowing share the data files with a specific group, thereby, providing a continuous, controlled method between data files and end-users (Bate's sections 0086 and 0100).

With respect to claims 108-112, Chtchetkine teaches a method of sharing virtual folder items stored in a file system of an operating system as discussed in claim 103.

Chtchetkine teaches operating system having a file system containing a plurality of native files, displaying the folders containing a plurality of files to be shared.

Chtchetkine does not clearly teach wherein setting the operating system user-access permissions comprises verifying that one or more operating system file shares exist from which the one or more shared virtual folder items can be accessed remotely; determining that one or more operating system file shares exist, and setting permissions on the one or more operating system file shares to allow the one or more sharees to access the shared virtual folder items; wherein setting the operating system user-access permissions comprises verifying that a firewall on the operating system will allow the one or more sharees to access the one or more shared virtual folder items; and recording details of the sharing transaction, including at least one of the shared virtual folder items, the one or more sharees, and a time at which the permissions were set and sending a link to the one or more sharees in response to receiving the request to share the items in the virtual folder, the link allowing the one or more sharees to access shared virtual folder items from a remote computer.

However, Bate teaches remotely accesses the file via verification and validation (fig. 9 and section 0215) and sharing files in the folder with permissions to access the file items (sections 0112 and 0227) and firewall to protect or to detect access folder items (section 0023; the information of permission is set (section 0022) and sending a link to the receiver (sections 0012 and 0025).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chtchetkine with the teachings of Bate. One having ordinary skill in the art would have found it motivated to utilize the use of level of permissions on the virtual folder file items as disclosed (Bate's sections 0134), into the system of Chtchetkine for the purpose of allowing share the data files with a specific group, thereby, providing a continuous, controlled method between data files and end-users (Bate's sections 0086 and 0100).

With respect to claim 113, Chtchetkine teaches receiving a query at the operating system from one of the sharees and providing to the sharee in response a list of items in the file system that are shared out to the sharee (a list of items to be listed for viewer to view: figs. 7-9).

With respect to claim 114, Chtchetkine in view of Bate teaches wherein setting the operating system user-access permissions comprises setting an operating system permission property on a first virtual folder item in the file system without setting an operating system permission property on a parent folder of the first virtual folder item (Bate's section 0134, 0172, 0192 and 0203).

With respect to claim 115, Chtchetkine in view of Bate teaches wherein the one or more shared virtual folder items comprises a non-folder non-file item (e-mail data items stored in the folder or e-mail system" sections 0217 and 0084).

Claim 116 is essentially the same as claim 103 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 103 hereinabove.

Claim 117 is essentially the same as claim 104 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 104 hereinabove.

Claim 118 is essentially the same as claim 105 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 105 hereinabove.

Claim 119 is essentially the same as claim 106 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 106 hereinabove.

Claim 120 is essentially the same as claim 107 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 107 hereinabove.

Claim 121 is essentially the same as claim 108 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 108 hereinabove.

Claim 122 is essentially the same as claim 109 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 109 hereinabove.

Claim 123 is essentially the same as claim 110 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 110 hereinabove.

Claim 124 is essentially the same as claim 111 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 111 hereinabove.

Claim 125 is essentially the same as claim 112 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 112 hereinabove.

Claim 126 is essentially the same as claim 113 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 113 hereinabove.

Claim 127 is essentially the same as claim 114 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 114 hereinabove.


Claim 128 is essentially the same as claim 115 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 115 hereinabove.

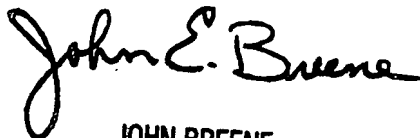
Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH LY, whose telephone number is (571) 272-4039 or via e-mail: ANH.LY@USPTO.GOV (**written authorization being given by Applicant(s) - MPEP 502.03 [R-2]**) or fax to (571) 273-4039 (examiner's personal fax number).

The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on **(571) 272-4107**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
JUN. 4th, 2007


JOHN BREENE
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